## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

T.L. DALLAS (SPECIAL RISKS), LTD., and GREAT LAKES REINSURANCE § § (UK) PLC INDIVIDUALLLY AND AS ASSIGNEES OF PAUL AND JANET **SPIELVOGEL** Plaintiffs, CIVIL ACTION NO. 4:07-cv-0419 v. **ELTON PORTER MARINE** INSURANCE AGENCY, INC. and AMERICAN MARINE INSURANCE SERVICES. § Defendants.

## **MEMORANDUM AND ORDER**

Pending before the Court is Plaintiffs' Motion for Reconsideration and Motion to Certify Interlocutory Order. After considering the arguments presented by the parties in briefing and at a hearing on the pending Motion, the Court finds that Plaintiffs' Motion, Doc. No. 16, should be **DENIED**. The Court reaffirms its ruling that Plaintiffs' claims against Defendants Elton Porter and American Marine are barred by res judicata and collateral estoppel. Furthermore, the Court confirms that Plaintiffs did not effect timely service on Defendant Elton Porter and has suggested no good cause for its failure to do so.

IT IS SO ORDERED.

SIGNED this day of August, 2008.

KEITH P. ELLÍSÓN

UNITED STATES DISTRICT JUDGE